

**TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT**

TO: Mayor and Councilmembers

FROM/PHONE: Marcie Nolan, AICP, Acting Development Services
Director/(954)797-1103

PREPARED BY: David M. Abramson, Acting Deputy Planning and Zoning
Manager

SUBJECT: Delegation Application: DG 6-2-07/07-100/Charleston Oaks (aka
Woodbridge Ranches)/Generally located south of Southwest 26th Street between
Southwest 142th Avenue and Southwest 148th Avenue

AFFECTED DISTRICT: District 4

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: A RESOLUTION OF THE TOWN OF DAVIE,
FLORIDA, APPROVING A DELEGATION REQUEST TO VACATE AN EXISTING
TEN (10) FOOT EQUESTRIAN TRAIL EASEMENT LOCATED ALONG THE
SOUTHERN BOUNDARY LINE AND AN EXISTING TEN (10) FOOT UTILITY
EASEMENT LOCATED ALONG THE EASTERN AND SOUTHERN BOUNDARY
LINES ON THE PLAT KNOWN AS “CHARLESTON OAKS”, AND PROVIDING AN
EFFECTIVE DATE

REPORT IN BRIEF:

The owner (Southern Homes) requests approval to vacate two (2) types of easements original approved and recorded on the plat known as “Charleston Oaks.” The first vacation request is for an existing ten (10) foot equestrian trail easement located along the southern boundary line of the subject site. The second vacation request is for an existing ten (10) foot utility easement located along the eastern and southern boundary lines.

The existing ten (10) foot equestrian trail easement is not designated on the Town of Davie Master Equestrian Trail Map. Additionally, this equestrian trail easement runs through the rear of single-family residential lots. However, in accordance with the approved Master Site Plan for “Charleston Oaks,” Southern Homes has provided equestrian trails along Southwest 26th Street, Southwest 142nd Avenue, and Southwest 148th Avenue consistent with the Master Equestrian Trail Map.

Both the Town of Davie and Broward County general request a utility easement along the perimeter of a boundary plat during technical review. Presently, this recorded utility

easement is within single-family residential lots and a dedicated scenic corridor buffer. Vacating the existing utility easements would increase the usable area for an individual property owner and allow more trees to be placed within the scenic corridor buffer along Southwest 142nd Avenue. Southern Homes has provided release letters from easement holders to vacate said utility easement.

Staff has also submitted this application to the Open Space Committee for their recommendation. Due to time constraints, the Committee's recommendation will be presented at the Town Council hearing.

PREVIOUS ACTIONS: n/a

CONCURRENCES:

At the November 26, 2007 Open Space Committee meeting, Delegation Request (DG 6-2-07) was approved.

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

RECOMMENDATION(S):

Staff finds the application complete and suitable for transmittal to the Town Council for further consideration.

Attachment(s):

Resolution, Justification letter, Existing Plat, Survey of Equestrian Trail Easement to be Vacated, Survey of Utility Easements to be Vacated, Town of Davie Existing Trail System, Future Land Use Map, Aerial, Zoning, & Subject Site Map

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A DELEGATION REQUEST TO VACATE AN EXISTING TEN (10) FOOT EQUESTRIAN TRAIL EASEMENT LOCATED ALONG THE SOUTHERN BOUNDARY LINE AND AN EXISTING TEN (10) FOOT UTILITY EASEMENT LOCATED ALONG THE EASTERN AND SOUTHERN BOUNDARY LINES ON THE PLAT KNOWN AS "CHARLESTON OAKS", AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the boundary plat known as "Charleston Oaks" was approved by Town Council on November 7, 2007.

WHEREAS, the boundary plat known as "Charleston Oaks" was recorded in Plat Book 172, Pages 147/148 of the public records of Broward County; and,

WHEREAS, the owner (Southern Homes) has an approved Master Site Plan known as "Charleston Oaks" to develop the subject site with seventy (70) detached single-family dwelling units; and,

WHEREAS, the petitioner desires to amend the said plat in accordance with the approved Master Site Plan; and,

WHEREAS, the owner (Southern Homes) requests to vacate an existing ten (10) foot equestrian trail easement associated with said plat; and

WHEREAS, the owner (Southern Homes) requests to vacate an existing ten (10) foot utility easement associated with said plat.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. The Town Council of the Town of Davie does hereby approve the delegation request to vacate the following:

- a. Vacate an existing ten (10) foot equestrian trail easement associated with said plat
- b. Vacate an existing ten (10) foot utility easement associated with said plat

The proposed amendments being specifically described in the planning exhibits attached hereto.

SECTION 2. This resolution shall be recorded in the Broward County public records.

SECTION 3. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2007.

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2007.

Exhibit (*Justification Letter*)

**Leigh Robinson Kerr
& Associates, Inc.**

Member, American Institute of Certified Planners

November 19, 2007

David Abramson
Acting Deputy Planning & Zoning Manager
Development Services Department
Town of Davie
6591 Orange Drive
Davie, FL 33314

Re: Charleston Oaks

Dear David,

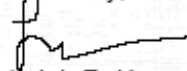
The petitioner is requesting the vacation of two easements on the above plat.

- (1) 10' utility easement along the southern and eastern boundaries of the plat.
- (2) 10' equestrian trail easement along the southern boundary of the plat.

Both of these requests are consistent with the site plan approved by the Town of Council.

If you have any questions, please do not hesitate to contact me.

Sincerely,



Leigh R. Kerr, AICP
President

cc: Hector Garcia
Carlos Ballbe

2706 - L.D. Abramson

• Planning • Zoning • Land Use • Expert Testimony •

808 East Las Olas Boulevard, Suite 104, Fort Lauderdale, Florida 33301

Phone (954) 467-6308 Fax (954) 467-6309

lkerr808@bellsouth.net

Exhibit (*Existing Plat*)

Exhibit (*Survey of Equestrian Trail Easement to be Vacated*)



CARNAHAN · PROCTOR · CROSS, INC

CERTIFICATE OF AUTHORIZATION NO. LB 2936
6101 WEST ATLANTIC BLVD., MARGATE, FL 33063
PHONE (954)972-3959 FAX (954)972-4178 WEBSITE: www.carnahan-proctor.com

DESCRIPTION AND SKETCH

EQUESTRIAN TRAIL EASEMENT TO BE VACATED IN CHARLESTON OAKS

LEGAL DESCRIPTION

A PORTION OF THE EQUESTRIAN TRAIL EASEMENT IN PARCEL B, "CHARLESTON OAKS", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 172 AT PAGE 147 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID PARCEL B; THENCE SOUTH 89°41'47" WEST, ALONG THE SOUTH LINE OF SAID PARCEL B, A DISTANCE OF 2532.91 FEET; THENCE NORTH 00°04' 09" WEST, ALONG A LINE 10 FEET EAST OF THE WEST LINE SAID PARCEL B, A DISTANCE OF 10.00 FEET; THENCE NORTH 89°41'47" EAST, ALONG THE NORTH LINE OF SAID PARCEL B AND THE EXTENSION THEREOF, A DISTANCE OF 2532.90 FEET; THENCE SOUTH 00°06'59" EAST, ALONG THE EAST LINE OF SAID PARCEL B, A DISTANCE OF 10.00 FEET TO THE **POINT OF BEGINNING**.

SAID LANDS SITUATE IN THE TOWN OF DAVIE, BROWARD COUNTY, FLORIDA.

NOTES


1. THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
2. THIS SKETCH IS THE PROPERTY OF CARNAHAN-PROCTOR-CROSS, INC., AND SHALL NOT BE USED OR REPRODUCED IN WHOLE OR IN PART WITHOUT WRITTEN AUTHORIZATION.
3. THE LANDS SHOWN HEREON ARE SUBJECT TO ALL EASEMENTS, RESERVATIONS, RIGHTS-OF-WAY, AND RESTRICTIONS OF RECORD.
4. ALL EASEMENTS SHOWN HEREON ARE PER THE RECORD PLAT UNLESS OTHERWISE NOTED.
5. THIS SKETCH WAS PREPARED WITHOUT BENEFIT OF A TITLE SEARCH. FOR INFORMATION CONCERNING RIGHTS-OF-WAY, EASEMENTS, RESERVATIONS, AND OTHER SIMILAR MATTERS OF PUBLIC RECORD, AN APPROPRIATE TITLE VERIFICATION NEED BE OBTAINED.
6. THIS IS NOT A SURVEY.

ABBREVIATIONS

E.T.E. = EQUESTRIAN TRAIL EASEMENT
L.E. = LANDSCAPE EASEMENT
P.B. = PLAT BOOK
PG. = PAGE (S)
P.O.B. = POINT OF BEGINNING
R.T.E. = RECREATIONAL TRAIL EASEMENT
U.E. = UTILITY EASEMENT

SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT THE DESCRIPTION AND SKETCH SHOWN HEREON COMPLIES WITH MINIMUM TECHNICAL STANDARDS FOR SURVEYS AS CONTAINED IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, AND THAT SAID DESCRIPTION AND SKETCH IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.


DONNA C. WEST
SURVEYOR AND MAPPER
FLORIDA LICENSE NO. LS4290

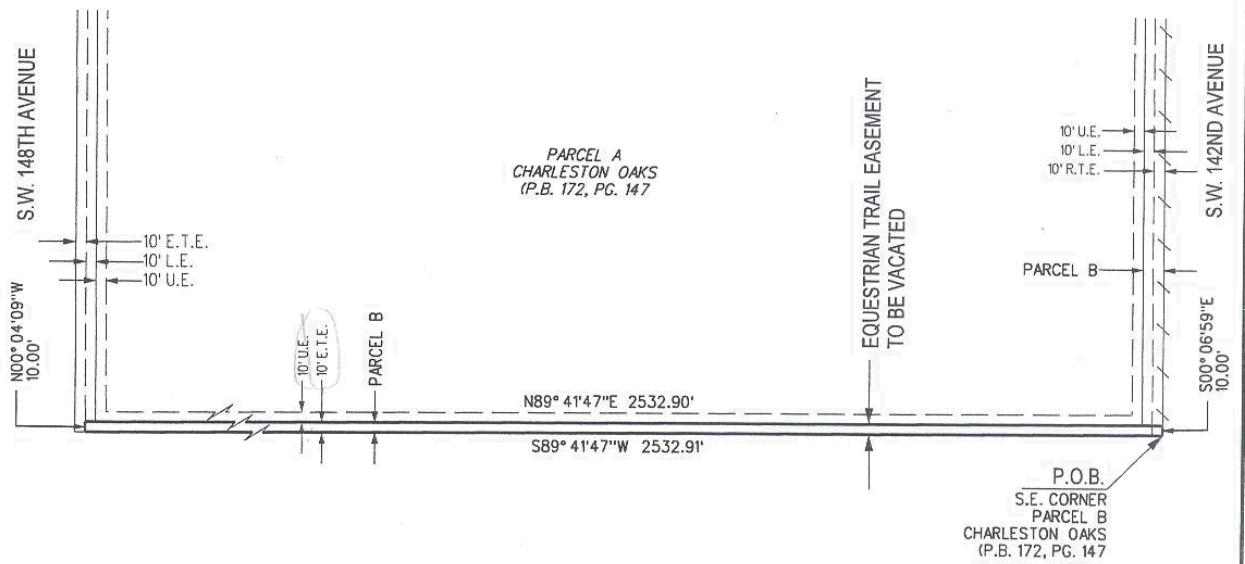
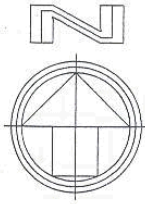
DATE OF LAST FIELD WORK: NOT A SURVEY

CHARLESTON OAKS

JOB NO.: 010213

DATE: 3-1-07

SHEET 1 OF 2 SHEETS



LEGEND

--- NON-VEHICULAR ACCESS LINE

REVISIONS	F.B./PG.	DATE	BY	CK'D		
JOB NO. 010213	DWG BY: JM	SCALE: 1" = 160'	EQUESTRIAN TRAIL ESMT. VACATION			
CHARLESTON OAKS	CK'D By: DCW	DATE: 3-1-.07	SHEET 2 OF 2 SHEETS			

Exhibit (*Survey of Utility Easements to be Vacated*)



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DESCRIPTION AND SKETCH

UTILITY EASEMENT TO BE VACATED IN CHARLESTON OAKS

LEGAL DESCRIPTION

A UTILITY EASEMENT IN A PORTION OF PARCELS A AND B, "CHARLESTON OAKS", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 172 AT PAGE 147 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID PARCEL A; THENCE SOUTH 89°41'47" WEST, ALONG THE SOUTH LINE OF SAID PARCEL A, A DISTANCE OF 2492.90 FEET; THENCE NORTH 00°04' 09" WEST, ALONG A LINE 10 FEET EAST OF THE WEST LINE OF SAID PARCEL A, A DISTANCE OF 10.00 FEET; THENCE NORTH 89°41'47" EAST, ALONG A LINE 10 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID PARCEL A, A DISTANCE OF 2482.89 FEET; THENCE NORTH 00°06'59" WEST, ALONG THE WEST LINE OF A 10-FOOT WIDE UTILITY EASEMENT AS SHOWN ON SAID PLAT, A DISTANCE OF 1224.48 FEET, THENCE SOUTH 45°10'21" EAST, ALONG THE NORTHEAST LINE OF SAID PARCEL A, A DISTANCE OF 14.13 FEET; THENCE SOUTH 00°06'59" EAST, ALONG THE EAST LINE OF SAID UTILITY EASEMENT, A DISTANCE OF 1224.46 FEET TO THE **POINT OF BEGINNING**.

SAID LANDS SITUATE IN THE TOWN OF DAVIE, BROWARD COUNTY, FLORIDA.

NOTES

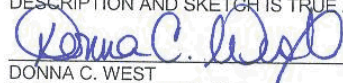
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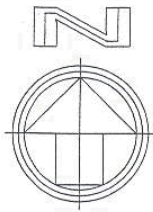
DATE OF LAST FIELD WORK: NOT A SURVEY

CHARLESTON OAKS

JOB NO.: 010213

DATE: 3-1-07

SHEET 1 OF 2 SHEETS



S.W. 26TH STREET

S45° 10'21"E
14.13'

UTILITY EASEMENT
TO BE VACATED

PARCEL B

PARCEL B

100'
ACCESS
OPENING

PARCEL A
CHARLESTON OAKS
(P.B. 172, PG. 147)

N00° 06'59"W 1224.48'

S00° 06'59"E 1224.46'

S.W. 142ND AVENUE

PARCEL B

LEGEND

NON-VEHICULAR ACCESS LINE

N00° 04'09"W
10.00'

10' U.E.

10' U.E.

10' E.T.E.

PARCEL B

N89° 41'47"E 2482.89'

S89° 41'47"W 2492.90'

10' U.E.
10' L.E.
10' R.T.E.

P.O.B.

S.E. CORNER
PARCEL A
CHARLESTON OAKS
(P.B. 172, PG. 147)

REVISIONS	F.B./PG.	DATE	BY	CK'D		
JOB NO. 010213	DWG BY: JM	SCALE: 1" = 160'	UTILITY EASEMENT VACATION			
CHARLESTON OAKS	CK'D By: DCW	DATE: 3-1-07	SHEET 2 OF 2 SHEETS			

Exhibit (Town of Davie Existing Trail System)

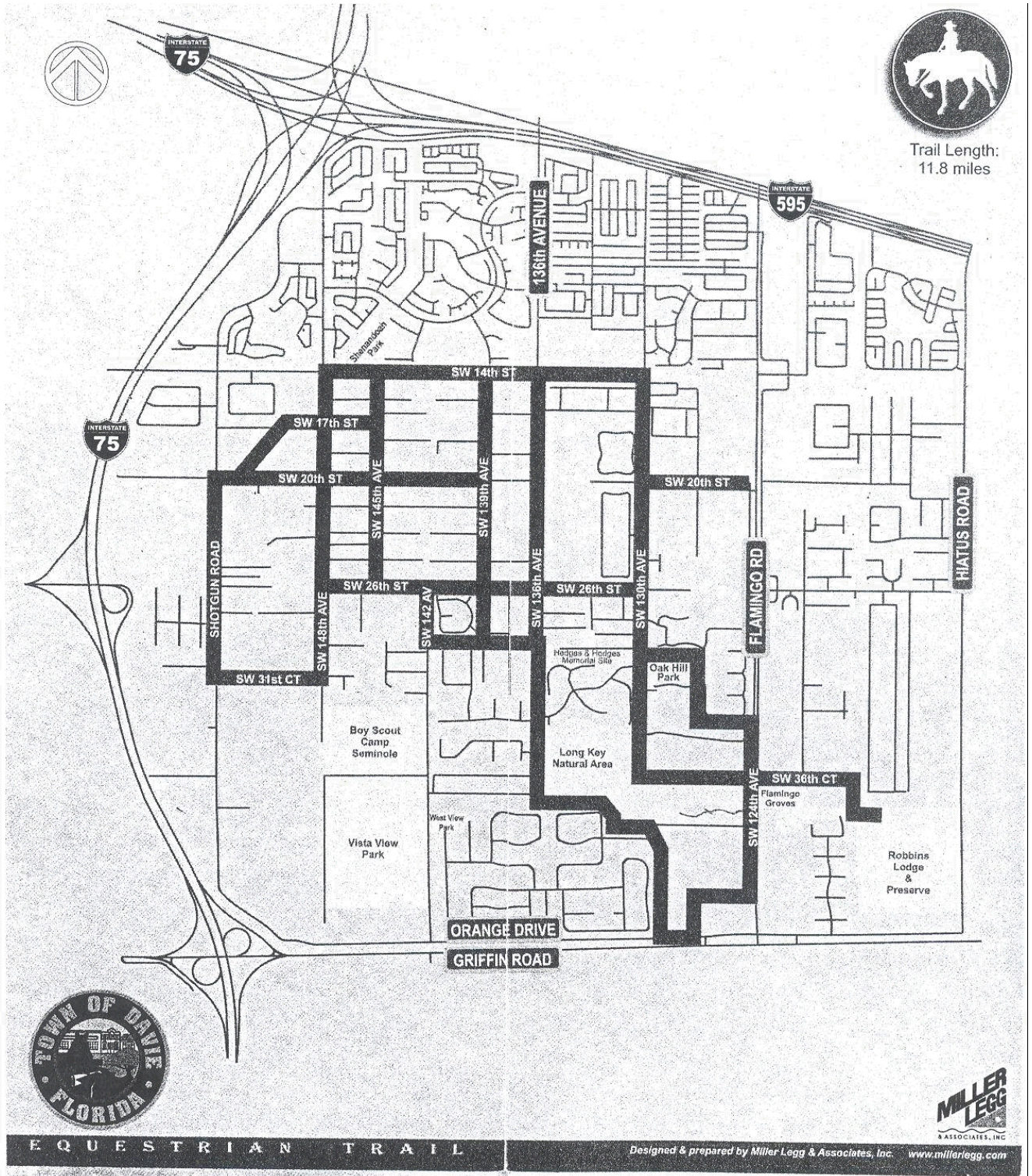


Exhibit (Future Land Use Map)

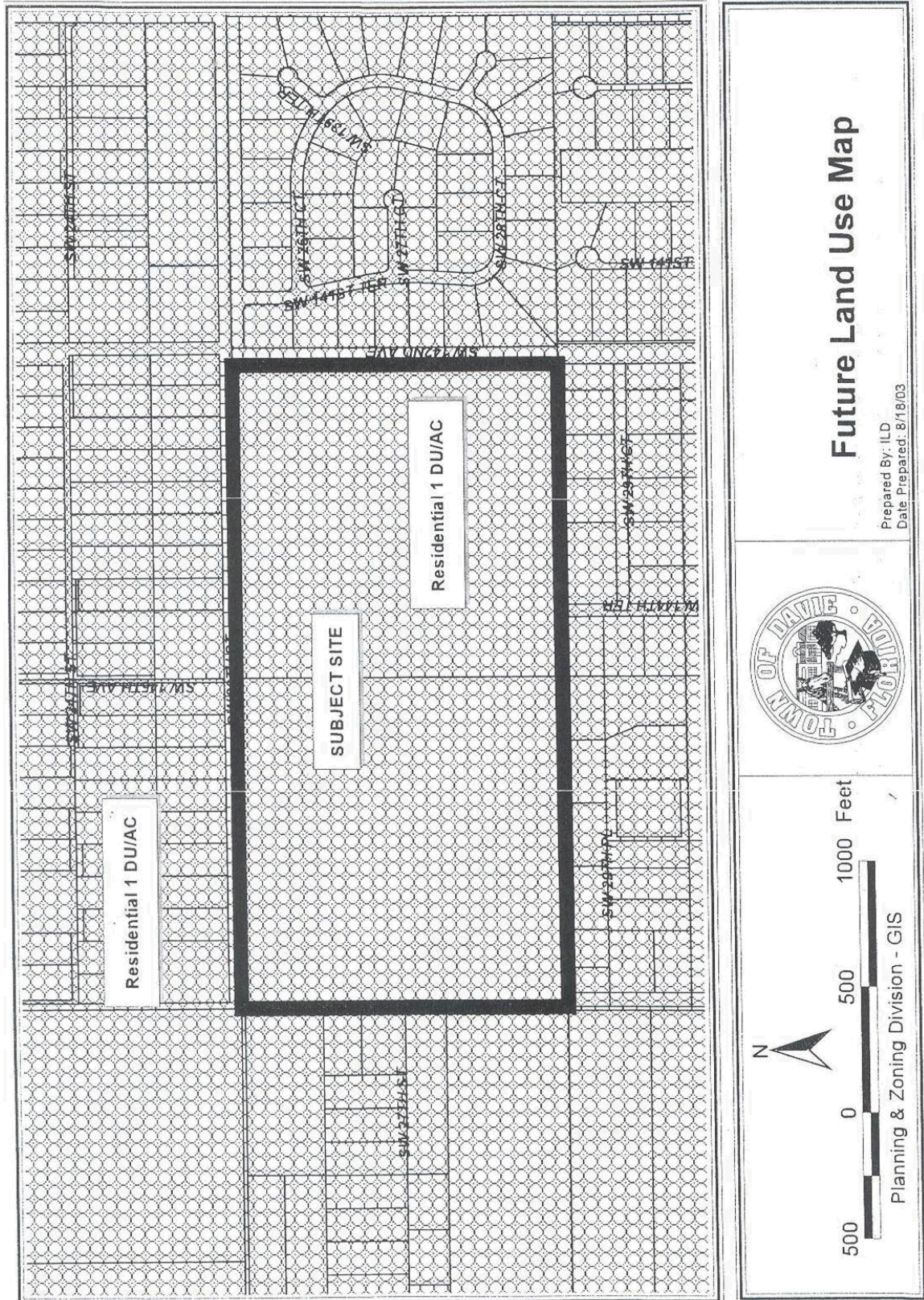
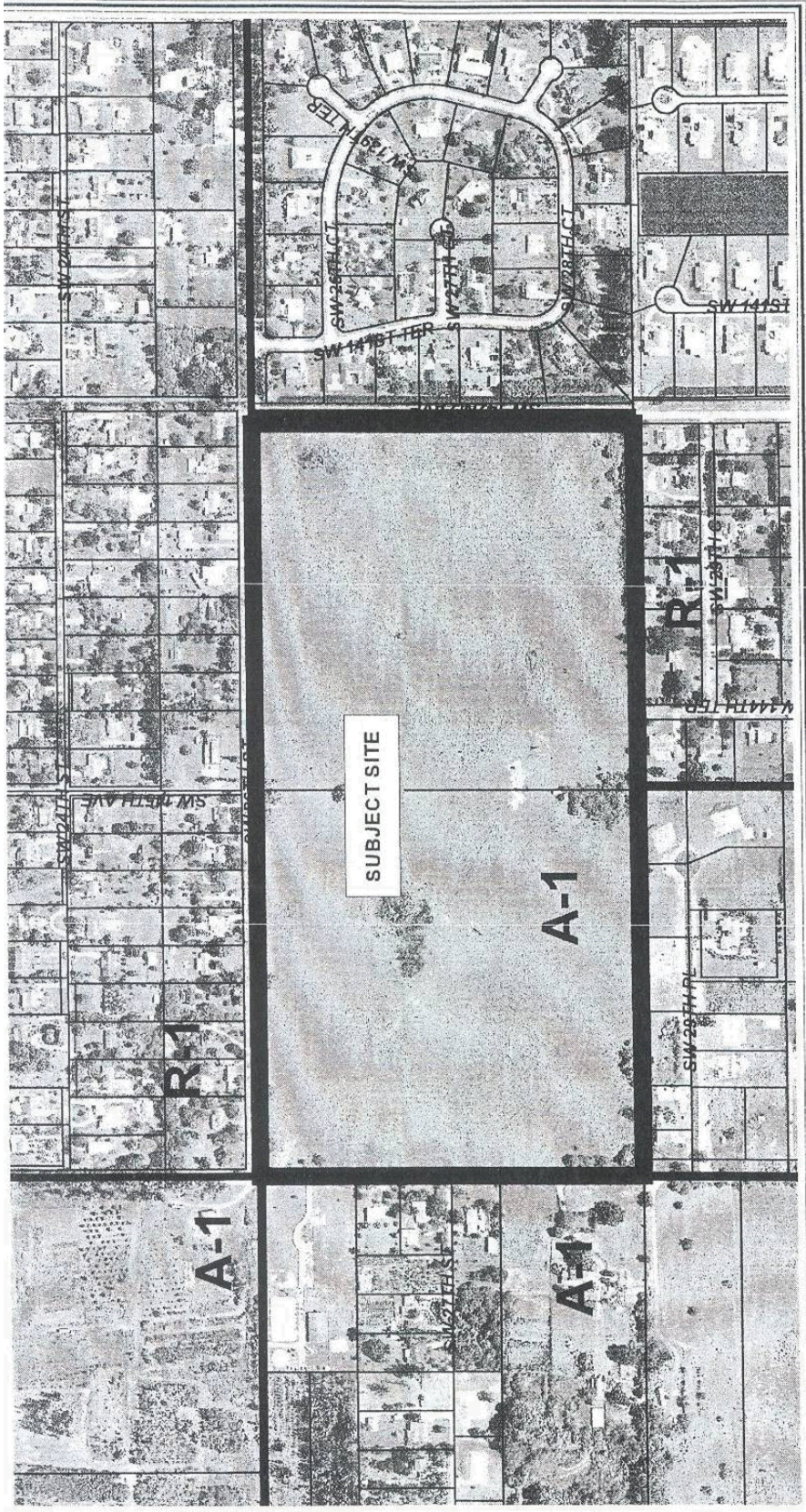


Exhibit (*Aerial, Zoning, and Subject Site Map*)



Date Flown:
12/31/01



500 0 500 1000 Feet

Planning & Zoning Division - GIS



Zoning and Aerial Map

Prepared By: ILD
Date Prepared: 8/18/01